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LETTER DATED 18 JUNE 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith, a letter from Momir Bulatovic, President of the Federal Government of the Federal Republic of Yugoslavia, relative to the question of Prevlaka (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

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Annex

Letter dated 18 June 1999 from the President of the Federal Government of the Federal Republic of Yugoslavia addressed to the President of the Security Council

I have the honour of addressing you with reference to the forthcoming debate in the Security Council about the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP). I would like to underscore on this occasion as well that my Government highly appreciates the contribution made by the presence of the United Nations Mission to the established security regime, as well as to the atmosphere of tolerance in this sensitive region.

On behalf of the Federal Government of the Federal Republic of Yugoslavia, I am addressing you with a request that the Security Council extend the mandate of UNMOP for another six-month period, as of 15 July 1999.

With regard to the disputed territorial issue of Prevlaka, I would like to inform you of the current situation in the negotiations between the delegations of the Federal Republic of Yugoslavia and the Republic of Croatia.

The delegations of the Federal Republic of Yugoslavia and of the Republic of Croatia responsible for negotiations aimed at determining the line of delimitation of the state border in the Southern Sector and at the settlement of the disputed territorial issue of Prevlaka have had four meetings to date: in Zagreb on 15 September 1998, in Belgrade on 9 October 1998, in Zagreb on 23 December 1998 and in Belgrade on 9 March 1999.

The two sides have exchanged views on delimitation of the state border in the area of Prevlaka.

The Yugoslav side has presented its arguments, which constitute the legal basis of its position on the stretching of the inter-state border. The presented arguments (federal and republic laws of the Socialist Republic of Montenegro and the Socialist Republic of Croatia) confirm that, at the relevant time, the border of each republic was determined in such a manner that the entire Bay of Boka Kotorska, including the Prevlaka Peninsula, belonged to the territory of the Republic of Montenegro. The application of those laws in practice testifies to the fact that both republics agreed to the joint border.

The Croatian side has not stated anything that might seriously contest the arguments presented by the Yugoslav side.

The expectation of the Yugoslav side that serious and comprehensive consideration of the arguments presented would follow in accordance with the principles of conscientious negotiation and the commitments referred to in the relevant Security Council resolutions has not been fulfilled. Such an attitude is regarded by the Yugoslav side as reluctance on the part of the Croatian side to engage in serious negotiations, the evidence of that being the proposal by the Croatian side to suspend the negotiations at the expert level and to resume

them at a higher political level. The Federal Republic of Yugoslavia is not of the opinion that the disputed territorial issue of Prevlaka can be reduced solely to a political issue. We believe, instead, that the solution can be found through negotiations, the prerequisite being the unreserved political willingness of both sides to negotiate in good faith, on the basis of the Charter of the United Nations and the relevant provisions of applicable international law.

The aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia that was launched on 24 March 1999 and carried out from the territory of the Republic of Croatia as well prevented the two sides from resuming negotiations under normal conditions, on an equal footing, according to the mutually agreed principles and procedure of conscientious negotiation, in good faith, as well as in conformity with the commitments under Security Council resolutions that both sides had undertaken.

The end of the NATO aggression on my country has eliminated the objective obstacles to the resumption of the already initiated negotiations over the disputed issue of Prevlaka. The Yugoslav side is ready to resume negotiations without delay, with the aim of finding a solution to this sticking issue as soon as possible, in the interest of restoring durable peace and security in this area, as well as in the region at large.

Attaching key importance to the presence of the United Nations Mission in Prevlaka for the maintenance of necessary security conditions until the two sides find a negotiated solution that would satisfy them both, the Federal Government of the Federal Republic of Yugoslavia expects the Security Council to reach a decision, proceeding from its primary responsibility for preserving peace and security in the world, to extend the Mission's mandate after its expiry on 15 July 1999 until 15 January 2000.

Momir BULATOVIĆ